



LEASON ELLIS

One Barker Avenue  
Fifth Floor  
White Plains, New York 10601-1526  
t: 914.821.3075  
f: 914.288.0023

October 31, 2014

**VIA ECF and FACSIMILE to (212) 805-4268**

The Honorable Gabriel W. Gorenstein  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

USDC SDNY	Cameron S. Reuber
DOCUMENT	Senior Associate
ELECTRONICALLY FILED	Reuber@LeasonEllis.com
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MEMORANDUM FOR THE COURT

Re: *Ritani, LLC v. Harout Aghjayan, et al.*  
1:11-cv-08928 (RWS)(GWG) (SDNY)

Dear Judge Gorenstein:

We are counsel for Plaintiff in the above-referenced action. We write jointly with counsel for Defendants to request confirmation of Your Honor's availability to conduct a settlement conference with the parties' principals and their counsel on Wednesday, November 19, 2014 at 2:30 p.m. The parties have previously been exploring settlement options, including telephonic and in-person meetings as well as written settlement proposals. Currently, a reasonable belief exists that a timely conference with Your Honor may prove fruitful and those in attendance will have full settlement authority. As Defendants' resources are limited, it is preferable that their resources be available for settlement, rather than for the upcoming deposition program. Thus, it is respectfully requested that the parties postpone the current deposition schedule (now set to end on December 5, 2014) until after the conference. This proposal will also reduce the opportunity for either party to use the interim depositions to unduly influence the current settlement dynamic. If this proposal is acceptable to the Court, the current discovery schedule will require slight modification to account for, *inter alia*, the upcoming holidays as well as other scheduling conflicts (e.g., a jury trial). However, in terms of modification of deadlines affecting the Court's calendar, it should only involve pushing back the submission of a joint pretrial order by 30 days.

### Proposed Discovery Plan

The proposed modified schedule is as follows:

1. The deadline for parties to complete fact discovery is January 30, 2015.
2. The deadline for parties to submit all expert disclosures (e.g., reports) required by Rule 26 is February 20, 2015.
3. The deadline for parties to submit expert rebuttal disclosures is March 13, 2015.
4. The deadline for parties to complete all expert discovery is March 27, 2015.

The parties shall inform each other in writing as to whether any intends to file a dispositive motion by March 20, 2015. The disclosure shall generally state the issues upon which summary judgment shall be sought. The parties shall meet and confer regarding a summary judgment briefing schedule, which shall be submitted for court approval by no later than April 1, 2015. If no party intends to file a dispositive motion, a joint pretrial order consistent with Judge Sweet's Individual Practices shall be due on April 13, 2015.

SO ORDERED: DATE: 11/2/14  
GABRIEL W. GORENSTEIN  
UNITED STATES MAGISTRATE JUDGE

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Wherefore, the parties respectfully request endorsement and entry into the record of the instant letter and requested relief contained herein.

Respectfully submitted,



Cameron S. Reuber

cc: Counsel for Defendants (by ECF)